

AMENDED IN SENATE MAY 25, 2006

**Senate Joint Resolution**

**No. 24**

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**Introduced by Senator Murray**

February 23, 2006

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Senate Joint Resolution No. 24—Relative to the Internet.

LEGISLATIVE COUNSEL'S DIGEST

SJR 24, as amended, Murray. Telecommunications: Internet network neutrality.

This measure would urge Congress and the President to encourage broadband deployment and preserve and promote the open and interconnected nature of the public Internet based on the 4 principles stated in the measure, *subject to reasonable network management*.

Fiscal committee: no.

1 WHEREAS, Two-thirds of the households in the United States  
2 now have some form of Internet service at home, and the  
3 majority of those households have migrated from narrowband,  
4 dial-up service to broadband, “always-on” service; and  
5 WHEREAS, The Internet has taken on a critical role in daily  
6 life for personal communications, access to news and  
7 information, online banking, e-commerce, and retrieving  
8 government information; and  
9 WHEREAS, The principle of nondiscrimination in access to  
10 communications networks has been part of public policy for the  
11 telecommunications industry for a century and as more of our  
12 economic and social life goes online, access to communications  
13 takes on even greater importance; and

1 WHEREAS, Recent decisions by the Federal Communications  
2 Commission have eliminated the requirement for broadband  
3 network owners to allow Internet service providers to use their  
4 high speed broadband networks in order to offer competitive  
5 broadband service; and

6 WHEREAS, Those decisions have also given network owners  
7 the power to discriminate against content or services that their  
8 subscribers access via the Internet, such as Internet telephone  
9 service, video streaming and other applications, and even content  
10 that may compete with the owner's own offerings; and

11 WHEREAS, Congress is currently debating the merits of  
12 legislation to ensure principles of "network neutrality," to require  
13 operation of the network in a manner that does not impede, block  
14 or slow the flow of content, services or applications or impair the  
15 functioning of devices connected to the network; and

16 WHEREAS, The outcome of this legislative process will  
17 largely determine the future of the Internet for consumers; now,  
18 therefore, be it

19 *Resolved by the Senate and the Assembly of the State of*  
20 *California, jointly,* That the Legislature of the State of California  
21 hereby memorializes Congress and the President of the United  
22 States to encourage broadband deployment and preserve and  
23 promote the open and interconnected nature of public Internet  
24 based on the following four principles, *subject to reasonable*  
25 *network management:* (1) consumers are entitled to access the  
26 lawful Internet content of their choice; (2) consumers are entitled  
27 to run applications and services of their choice, subject to the  
28 needs of law enforcement; (3) consumers are entitled to connect  
29 their choice of legal devices that do not harm the network, and  
30 (4) consumers are entitled to competition among network  
31 providers, application and service providers, and content  
32 providers; and be it further

33 *Resolved,* That the Secretary of the Senate transmit copies of  
34 this resolution to the President and Vice President of the United  
35 States, to the Speaker of the House of Representatives, to the  
36 Majority Leader of the Senate,—~~and~~ to each Senator and  
37 Representative from California in the Congress of the United  
38 States, *and to the Federal Communications Commission.*

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